

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Tyson Winarski, Esq. et al.	)	Group Art Unit: 3688
	)	
Application No.: 09/662,968	)	Examiner: Vig, Naresh
	)	
Filed: September 15, 2000	)	
	)	
For: AN INTERNET BASED SYSTEM FOR	)	Confirmation No.: 3019
MANAGING A NETWORK OF	)	
ELECTRONIC ADVERTISING	)	
BILLBOARDS THROUGH A WIRELESS	)	
TELECOMMUNICATIONS SYSTEM	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO NOTICE OF HEARING AND WAIVER OF HEARING**


A Notice of Hearing was mailed by the U.S. Patent and Trademark Office (USPTO) on August 2, 2011, setting a hearing date of September 8, 2011, and providing a period of 21 days from the mailing date to confirm or waive the hearing. Applicant thanks the Board for its consideration and respectfully declines the oral argument set for September 8, 2011. Applicant notes that there will be no need for the Board to decide this appeal. Concurrent with this paper, Applicant is filing a paper expressly abandoning the above-identified application in favor of a newly-filed continuation application.

We are not aware of any associated fees for this response, but any fee due may be charged to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: August 22, 2011

By:   
Elizabeth M. Burke  
Reg. No. 38,758  
(202) 408-4000




---

**UNITED STATES PATENT AND TRADEMARK OFFICE**


---

**Board of Patent Appeals and Interferences**

FINNEGAN, HENDERSON, FARABOW, GARRETT &  
DUNNER, LLP  
901 NEW YORK AVENUE, N.W.  
WASHINGTON, DC 20001-4413

Appeal No: 2010-004172  
Appellant: Tyson Winarski, Esq., Jeff Myers et al.  
Application No: 09/662,968  
Hearing Room: B  
Hearing Docket: B  
Hearing Date: Thursday, September 08, 2011  
Hearing Time: 01:00 PM  
Location: Madison Building - East Wing  
600 Dulany Street, 9th Floor  
Alexandria, Virginia 22313-1450

**NOTICE OF HEARING  
CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS**

Your attention is directed to 37 CFR § 41.47. The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up. The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced. If there are any inquiries, please contact the Clerk of the Board at 571-272-9797.

CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED. This form must be completed below and facsimile transmitted to both: (1) the USPTO Central fax number (official copy), and (2) the Board of Patent Appeals and Interferences fax number (courtesy copy) within TWENTY-ONE (21) DAYS from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this notice may be alternately filed by mail if facsimile is not available.

BPAI HEARINGS FAX No: (571) 273-0299

USPTO Central Fax No: (571) 273-8300

BPAI Mailing Address: BOARD OF PATENT APPEALS AND INTERFERENCES  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. BOX 1450  
ALEXANDRIA, VIRGINIA 22313-1450

In all communications relating to this appeal, please identify the appeal by its number.

CHECK ONE: ( ) HEARING ATTENDANCE CONFIRMED ☒ HEARING ATTENDANCE WAIVED

Elizabeth M. Barla 8/22/2011 38,758  
Signature of Attorney/Agent/Appellant Date Registration No.

Names of other visitors expected to accompany counsel: \_\_\_\_\_

For information on visitor access to hearing rooms and security procedures at the USPTO Alexandria Campus, see

[http://www.uspto.gov/web/offices/dcom/gcounsel/contact.htm#bpa\\_contacts](http://www.uspto.gov/web/offices/dcom/gcounsel/contact.htm#bpa_contacts)